



JH/B  
PATENT

Attorney Docket No.: VOSS1110

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
George Breier et al.

Application No.: 09/445,201

Filed: December 2, 1999

For: REGULATORY SEQUENCES  
CAPABLE OF CONFERRING  
EXPRESSION OF A HETEROLOGOUS)  
DNA SEQUENCE IN ENDOTHELIAL )  
CELLS IN VIVO AND USES )  
THEREOF )

) Group Art Unit: 1633

) Examiner: C. Drabik

) CERTIFICATION UNDER 37 CFR § 1.8

I hereby certify that the documents referred to as enclosed herein  
are being deposited with the United States Postal Service as first  
class mail on this date **March 15, 2001**, in an envelope  
addressed to: Commissioner for Patents, Washington, D.C. 20231

Suzelle M. Begalla  
(Name of person mailing paper)  
Suzelle M. Begalla  
Signature

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Commissioner for Patents  
Washington D.C., 20231

**RESPONSE TO RESTRICTION REQUIREMENT**

Sir:

In response to the Requirement for Restriction mailed February 16, 2001,  
Applicant provisionally elects, with traverse, Group I, consisting of Claims 1-11, 13, 14,  
17-24, 34 and 35, drawn to a recombinant DNA molecule or vector comprising the first  
regulatory sequence of the Vascular Endothelial Growth factor (VEGF) receptor-2 (Flk-  
1) gene and heterologous sequences, and a method of inhibiting a vascular disease.

Applicant respectfully requests rejoinder of Groups I and III claims, which are  
linked to define a single inventive concept, *i.e.*, a DNA molecule or vector and use  
thereof in a method for producing a pharmaceutical composition. Applicant submits that  
it would not place an undue burden on the U.S. Patent and Trademark Office to perform a  
search of both Groups I and III, claims 1-11, 13, 14, 17-24, 34, 35, 36, 37 and 39 at one  
time.

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No fee is believed to be due regarding the filing of this paper. However, the Commissioner is authorized to charge any fees or credits believed to be due to Deposit Account No. 50-1355.

Respectfully submitted,

Lisa A. Haile, Ph.D.

Reg. No. 38,347

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